



Attorney Docket No.: 902.577-1-3
Serial No.: 10/801,755

AP/IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: Frank Octaaf Van Der Putten

Serial No.: 10/801,755

Filed: March 15, 2004

Group Art Unit: 2616 (was 2662)

Examiner: Ahmed Elallam

**Terminal Disclaimer To Obviate An Obviousness-Type
Double Patenting Rejection Over Two Issued Patents**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, ALCATEL, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 on U.S. Patent No. 6,327,273, issued Dec. 4, 2001, or U.S. Patent No. 6,754,235, issued June 22, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent Nos. 6,327,273 and 6,754,235 (hereinafter the prior patents) are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 of the prior patents, in the event that either or both of the prior patents expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are in any manner

terminated prior to the expiration of their full statutory term as shortened by any terminal disclaimer filed prior to their grant.

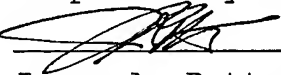
A check for the terminal disclaimer fee of \$110 under 37 CFR 1.20(d) is enclosed.

The undersigned is an attorney of record.

Respectfully submitted,

4 June 2006

Date


James A. Retter

Registration No. 41,266

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP

tel: (203) 261-1234

755 Main Street, P.O. Box 224
Monroe, CT 06468-0224

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The PTO did not receive the following
listed item(s) check for \$110.00

but check for \$130.00